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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/980,863	04/30/2002	Pierre Girod	032326-181	3216
21839	7590	04/15/2004	EXAMINER	
BURNS DOANE SWECKER & MATHIS L L P			ST CYR, DANIEL	
POST OFFICE BOX 1404			ART UNIT	
ALEXANDRIA, VA 22313-1404			PAPER NUMBER	
			2876	
DATE MAILED: 04/15/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/980,863

**Applicant(s)**

GIROD, PIERRE

**Examiner**

Daniel St.Cyr

**Art Unit**

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 19 March 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8 and 10-17 is/are rejected.
- 7) ☒ Claim(s) 9 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

1. Applicant's arguments, see applicant respond, filed 3/19/04, with respect to claims 1-17 have been fully considered and are persuasive. The rejection of claims 1-17 has been withdrawn. This Office action supersedes the Office action mailed 12/19/03.

#### ***Claim Objections***

2. Claims 10, 12, 14, and 16 are objected to because of the following informalities: line 1, "services" should be changed to --service--. Appropriate correction is required.

#### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-5 and 17 are rejected under 35 U.S.C. 102(b) as being anticipated by IBM technical disclosure, Ref. No. NN7507562.

IBM discloses a self service ticketing system comprising: a first means 5 specific to a first operator for acquiring information from a ticket by said first operator and for authorizing a service according to the information acquired, consulate means 11 for receiving information from a ticket issued by another operator and transmitting to the first authorization means authorization to render said service according to the information obtained and processed in a manner specific to the consulate means (see page 1, line 11 to page 2).

Re claim 2, wherein the service authorization is depend on prior performance of a transaction (a valid ticket was purchased or a valid credit card is used).

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Re claim 3, the first means and the consulate means are independent (see page 2, 3).

Re claims 4 and 5, the consulate means is physically included in the first means and physically external the first means (see the figure).

Re claim 16, the service pertains to systems with different purpose (credit/cash transactions systems).

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 6-11, 14, 15, and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over the IBM disclosure. The teachings of the IBM disclosure have been discussed above.

Re claims 6-8, 10, 11, 14, 15, the disclosure teaches a banking system (credit card use) and a remote station, but fails to show a central unit connected to a set of remote locations. However, notice is taken that public transportation, such as transit system, usually includes a plurality of remote stations (at different train stops) connected to central location.

It would have been obvious for a person of ordinary skill in the art at the time the invention was made to modify the system, the teachings of the disclosure to include a plurality of remote stations connected to a central location for managing the system. Such modification would provide means for managing the system more effectively wherein management would have greater access to the daily financial resources/revenue. With respect to different connection circuits for communicating between the central unit and other components of the system, these

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circuits would have to be included in order to render the system operational. Therefore, it would have been an obvious extension as taught by the IBM disclosure.

Re claim 17, the disclosure teaches using a credit card as a ticket for gaining access to the system, but fails to disclose a smart card. However, smart cards are notorious old and well known in the art for performing financial transaction in the transit system. It would have been obvious for a person of ordinary skill in the art at the time the invention was made to modify the system to accept smart as tickets. Such modification would make the system more convenient by giving customers more options of patronage the system. Therefore, it would have been an obvious extension as taught by the IBM teachings.

Re claims 12 and 13, the disclosure fails to disclose or fairly suggests that the services pertain to mobile telephony using smart cards. However, notice is taken that mobile telephony systems using smart cards are notoriously old and well known in the art for performing mobile system communication or other transactions. It would have been obvious for a person of ordinary skill in the art at the time the invention was made to modify the disclosed system to include the well-known mobile telephony system for performing mobile communication. Such modification would make the system more desirable by providing a system with overwhelming demand in the industry, which would make the system more cost effective and more profitable. Therefore, it would have been an obvious extension as taught by the IBM disclosure.

***Allowable Subject Matter***

7. Claim 9 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

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8. The following is a statement of reasons for the indication of allowable subject matter:

Although the prior art of record teaches a system and device that accepts different type of tickets wherein the device is coupled to the consulate device for validating a ticket from an operator from another system, the prior art of record fails to disclose or fairly suggests a central unit having third transmission circuits for transmitting from the operator to the consulate device information concerning methods of processing by the consulate device of the information carried by the tickets. These limitations in conjunction with other limitations in the claims were not shown by the prior art of record.

*Conclusion*

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel St.Cyr whose telephone number is 571-272-2407. The examiner can normally be reached on Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G Lee can be reached on 571-272-2398. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Daniel St.Cyr

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Primary Examiner  
Art Unit 2876

DS  
April 5, 2004

A handwritten signature in black ink, featuring a large, stylized 'S' or 'D' shape with a horizontal line extending to the right.